

REMARKS

INTRODUCTION:

In accordance with the foregoing, claims 1-8 have been amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-8 are pending and under consideration. Reconsideration is respectfully requested.

ENTRY OF RESPONSE UNDER 37 C.F.R. §1.116:

Applicant requests entry of this Rule 116 Response and Request for Reconsideration because:

(a) it is believed that the amendments of claims 1-8 put this application into condition for allowance;

(b) the amendments were not earlier presented because the Applicant believed in good faith that the cited prior art did not disclose the present invention as previously claimed;

(c) the amendments of claims 1-8 should not entail any further search by the Examiner since no new features are being added or no new issues are being raised;

(d) the amendment(s) do not significantly alter the scope of the claims and place the application at least into a better form for appeal. No new features or new issues are being raised; and/or

(f) the reference applied to the claims is newly cited in the final Office Action, and Applicant should be provided the opportunity to present patentability arguments and amendments in view thereof.

The Manual of Patent Examining Procedures sets forth in §714.12 that "[a]ny amendment that would place the case either in condition for allowance or in better form for appeal may be entered." (Underlining added for emphasis) Moreover, §714.13 sets forth that "[t]he Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

REJECTION UNDER 35 U.S.C. §112:

In the Office Action, at page 2, numbered paragraphs 4-5, claims 2 and 6 were rejected

under 35 U.S.C. §112, second paragraph, for the reasons set forth therein. This rejection is traversed and reconsideration is requested.

Antecedent basis has been corrected in claims 2 and 6. Claims 2 and 6 are now submitted to be in proper form under 35 U.S.C. §112, second paragraph.

REJECTION UNDER 35 U.S.C. §102:

In the Office Action, at pages 3-4, numbered paragraph 7, claims 1-8 were rejected under 35 U.S.C. §102(e) as being anticipated by Lilly et al., Publ. No. 2002/0156723 (hereinafter, Lilly). This rejection is traversed and reconsideration is requested.

Claims 1-8 are each independent. Claims 1-8 have been amended to add the terminology: "wherein, when the transaction type is the service request from the internet store server and when the credit amount is not more than an internet credit limit, the internet credit limit is updated such that an amount obtained by subtracting the credit amount from the internet credit limit is set as a new internet credit limit." These amendments are supported, for example, by page 11, line 21 through page 12, line 11 and page 15, line 18 through page 16, line 8, of the specification.

The Examiner has cited Lilly and asserts that the "second storing unit" corresponds to the "central database" in paragraph [0049] and "extracting credit card identification information and a credit limit corresponding to the transaction type from a second storing unit which stores the credit card identification information and the credit limit corresponding to the transaction type" corresponds to "card issuer 422 may determine which bucket the purchase at site 414, 416, and 424, is to be applied." Paragraph [0082] of Lilly discloses that these different sites include a POS terminal at vendor site 416 and web site of web servers 414 and 424.

Paragraph [0042] of Lilly discloses that "bucket" represents a credit limit. Lilly discloses, in paragraph [0032], that one or more lines of credit are embedded into a main line of credit, and that each embedded credit line may include different types of the credit lines providing an incentive to the card holder to make purchases with specific merchants. Lilly discloses in paragraph [0032] that each embedded credit line may have a maximum credit line that is greater than, or equal to, or less than, the maximum credit limit for the main line of credit. Thus, it is respectfully submitted that Lilly teaches that the credit limit may vary corresponding to the transaction types, i.e., may vary with respect to a purchase such as a purchase at a vendor or a purchase at a website.

In contrast, the present invention discloses that, when the credit amount is not more than the internet credit limit, the system carries out an updating process on the internet loan limit such

that the system sets an amount obtained by subtracting the credit amount from the internet credit limit in the user DB as a new internet credit limit updated after the credit card use. That is, the credit card is used just like a pre-paid card. The independent claims (1-8) have been amended to show this feature more clearly.

It is respectfully submitted that Lilly does not teach or suggest that, when the credit amount is not more than the internet credit limit, the system carries out an updating process on the internet loan limit such that the system sets an amount obtained by subtracting the credit amount from the internet credit limit in the user DB as a new internet credit limit updated after the credit card use, as is disclosed in amended independent claims 1-8 of the present invention.

Anticipation requires a lack of novelty of the invention as claimed. The invention must have been known to the art in the detail of the claim; that is, all of the elements and limitations of the claim must be shown in a single prior reference, arranged as in the claim. See C.R. Bard, Inc. v. M3 Systems, Inc., 157 F3d 1340, 1349, 48 USPQ2d 1225, 1229-30 (Fed. Cir. 1998); Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Hence, it is respectfully submitted that amended independent claims 1-8 of the present invention are not anticipated under 35 U.S.C. §102(e) by Lilly et al., Publ. No. 2002/0156723.

CONCLUSION:

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited. At a minimum, this Amendment should be entered at least for purposes of Appeal as it either clarifies and/or narrows the issues for consideration by the Board.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited and possibly concluded by the Examiner contacting the undersigned attorney for a telephone interview to discuss any such remaining issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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